

2007 DRAFTING REQUEST**Senate Amendment (SA-SSA1-SB269)**Received: **12/11/2007**Received By: **mshovers**Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**By/Representing: **Sen. Lazich**This file may be shown to any legislator: **NO**Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**
Local Gov't - counties
Real Estate - landlord/tenant

Extra Copies: **PJK**Submit via email: **YES**Requester's email: **Sen.Lazich@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Landlord/tenant relations when domestic abuse and personal safety issues are involved.

Instructions:

Restore bill section 1 from the original bill, and the related init. app. provision

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			nmatzke 12/11/2007	_____	sbasford 12/11/2007	sbasford 12/11/2007	
/2	mshovers 12/11/2007	kfollett 12/11/2007	nmatzke 12/11/2007	_____	mbarman 12/11/2007	mbarman 12/11/2007	

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Page 2

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1/1	MES	12/11/07					

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jld (MNR)

~~PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 269

now

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 3: delete "harm and" and substitute "harm,".

3 2. Page 1, line 4: after "unenforceable" insert ", and prohibiting the imposition
4 of fees for local government emergency services".

5 3. Page 2, line 1: before that line insert:

INSERT 1

6 4. Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1m".

7 5. Page 4, line 16: after that line insert:

INSERT 2

8 (END)

BILL

INSERT 1

abuse offense against the tenant. If the tenant provides the required certified copy and proper notice of the termination of the tenancy to the landlord and removes from the premises, the tenant is not responsible for any rent after the end of the month in which he or she provides the notice or removes from the premises, whichever is later.

Under current law, a landlord may not increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, if there is a preponderance of evidence that the landlord's action or inaction is in retaliation against the tenant for making a good faith complaint about a defect in the premises to a public official or housing code enforcement agency, for complaining about a violation of a local housing code, or for exercising a legal right related to residential tenancies. This bill provides that a lease is void and unenforceable if it allows a landlord to increase rent, decrease services, bring an action for possession of the premises, refuse to renew a lease, or threaten to do any of those things, because the tenant has contacted an entity for law enforcement services, health services, or safety services.

Local government emergency services

Under current law, a municipality (a city, village, or town) may impose a special charge against real property for current services rendered, including services such as snow and ice removal, weed elimination, and sidewalk repair. This bill prohibits a municipality or a county from imposing a fee on the owner or occupant of property for a call for assistance that is made by the owner or occupant requesting law enforcement, fire protection, or other emergency services from the municipality or county.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0627 (7) of the statutes is created to read:

66.0627 (7) Notwithstanding sub. (2), no city, village, town, or county may enact an ordinance, or enforce an existing ordinance, that imposes a fee on the owner or occupant of property for a call for assistance that is made by the owner or occupant requesting law enforcement, fire protection, or other emergency services that are provided by the city, village, town, or county.

SECTION 2. 704.16 of the statutes is created to read:

end of ins 1

SENATE BILL 269

INS 2

1 (1) TENANTS AND LANDLORDS. The treatment of sections 704.16, 704.19 (2) (b),
2 and 704.44 of the statutes first applies to leases entered into, modified, or renewed
3 on the effective date of this subsection.

4 (2) LOCAL GOVERNMENT EMERGENCY SERVICES. The treatment of section 66.0627
5 (7) of the statutes first applies to a call that is made for law enforcement, fire
6 protection, or other emergency services on the effective date of this subsection. ”
7

(END)

fine 2



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0973/2
MES:jld:awn

RMR

SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 269

WANTED
4PWA

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1, line 3: delete "harm and" and substitute "harm,".
- 3 **2.** Page 1, line 4: after "unenforceable" insert ", and prohibiting the imposition
- 4 of fees for local government ^{law enforcement} emergency services".
- 5 **3.** Page 2, line 1: before that line insert:
- 6 "SECTION 1. 66.0627 (7) of the statutes is created to read:
- 7 66.0627 (7) Notwithstanding sub. (2), no city, village, town, or county may
- 8 enact an ordinance, or enforce an existing ordinance, that imposes a fee on the owner
- 9 or occupant of property for a call for assistance that is made by the owner or occupant
- 10 requesting law enforcement, fire protection, or other emergency services that are
- 11 provided by the city, village, town, or county."
- 12 **4.** Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1m".

